

Sixth Appellate District

San Jose, California

TUESDAY, FEBRUARY 17, 2004

H025761 PEOPLE v. DIAZ

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed February 17, 2004

H023778 BIG CREEK LUMBER CO., et al. v. COUNTY OF SANTA CRUZ, et al.

We reverse the judgment, and we remand the matter to the trial court with instructions to enter a new and different judgment invalidating Ordinances 4571, 4572 and 4577, and Resolution 493-99. Plaintiffs shall have costs on appeal. (published)
(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)
Filed February 17, 2004

H024442 PEOPLE v. BAUTISTA, et al.

H026395 In re BAUTISTA on Habeas Corpus.

(Filed order modifying opinion.) This modification does not affect the judgment. (published)
(Premo, J.; Rushing, P.J.; Bamattre-Manoukian, J.)
Filed February 17, 2004

H023965 PEOPLE v. SALCIDO

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)
Filed February 17, 2004

H024698 C.H. REYNOLDS ELECTRIC, INC. v. SPEARS, et al.

The judgment is reversed. The matter is remanded to the trial court for the limited purpose of determining the amount of restitution, or unjust enrichment, if any, Spears owes Reynolds due to his breach of his fiduciary duty or duty of loyalty. Costs to appellant. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed February 17, 2004

WEDNESDAY, FEBRUARY 18, 2004

H024991 TORRES v. FERNANDEZ

The judgment is affirmed. Torres is entitled to his costs on appeal. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed February 18, 2004

Sixth Appellate District

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THURSDAY, FEBRUARY 19, 2004

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Wunderlich, J.; Mihara, J.; and J. Michel Casique, Deputy Clerk.

H025941 PEOPLE v. DANIEL M.

Cause called and argued by James W. Duffy appearing for Appellant and by Martin S. Kaye, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025461 PEOPLE v. ABDI

Cause called and argued by Orzo Williams Childs appearing for Appellant and by Jill Thayer, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H026023 PEOPLE v. MENDEZ

Cause called and argued by Michael P. Thorman appearing for Appellant and by Rene A., Chacon, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H026043 PEOPLE v. DAVID T.

Cause called and argued by Ann F. Vandepol appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025082 TUCHMAN, et al. v. THE CITY OF MARINA, et al.

Cause called and argued by Joseph M. Favor appearing for Appellants and by Vincent Hurley appearing for Respondents. Cause ordered submitted.

H025420 TUCHMAN, et al. v. THE CITY OF MARINA, et al.

Cause called and argued by Joseph M. Favor appearing for Appellants and by Mark Howard Ullman appearing for Respondents. Cause ordered submitted.

H025028 CORNISH & CAREY COMMERCIAL v. GUZIK

Cause called and argued by Frank McGowan Hinman appearing for Appellant and by Steven C. Finley appearing for Respondent. Cause ordered submitted. Court stands in adjournment.

Sixth Appellate District

San Jose, California

Thursday, February 19, 2004 (continued)

H025501 PEOPLE v. AGUILAR

The judgment is hereby modified to reduce the restitution fine from \$800 to \$200 and to reduce the suspended parole revocation fine to the same amount. The trial court is directed to prepare an amended abstract of judgment reflecting these modifications and to forward a certified copy of the amended abstract to the Department of Corrections. The modified judgment is affirmed. (not published)

(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)

Filed February 19, 2004

H025458 PEOPLE v. SCRASE

The judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed February 19, 2004

H025393 SHAEGHI v. THE HOME DEPOT, et al.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: February 19, 2004

*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and Wunderlich, J.

FRIDAY, FEBRUARY 20, 2004

H025190 PEOPLE v. BRACKETT

H026718 In re BRACKETT on Habeas Corpus

The judgment is affirmed. The petition for a writ of habeas corpus is denied. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed February 20, 2004

H023549 CITY OF SARATOGA v. HINZ, JR., as Executor, etc.

The judgment is affirmed. Hinz shall recover his costs on appeal pursuant to Code of Civil Procedure section 1268.720. (published)

(Rushing, P.J.; We concur: Premo, J., Wunderlich, J.)

Filed February 20, 2004

Sixth Appellate District

San Jose, California

Friday, February 20, 2004 (continued)

H026128 MANIATIS v. GALIN

The order granting an injunction prohibiting harassment is affirmed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 20, 2004